

1 Title 5. EDUCATION

2 Division 1. State Department of Education

3 Chapter 12. Compensatory Education

4 Subchapter 13. Supplemental Services

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6 **§13075. Definition of a “demonstrated record of effectiveness” for providers of**
7 **supplemental services who are approved by the SBE.**

8 (a) For purposes of demonstrating a record of effectiveness for placement on the list of
9 approved supplemental services providers, STAR data are required. Until such time as STAR
10 data are available, a provider shall be deemed provisional.

11 (b) An application, completed per the Supplemental Educational Services Provider
12 Request for Application (Rev. 5/2003), which is incorporated by reference, is required of each
13 new provider in each of the first two-years of service.

14 (c) A provisionally-approved provider of supplemental educational services has met the
15 definition of a demonstrated record of effectiveness when:

16 (1) the provider demonstrates the ability to provide effective services by meeting all the
17 federal requirements including the following criteria:

18 (A) Ensure that programs offered are of high quality, research-based, and specifically
19 designed to increase the academic achievement of eligible children on the assessment
20 instruments required under ESEA Section 1111 (20 U.S.C. section 6316(e)(1)) and attain
21 proficiency in meeting the State's academic achievement standards.

22 (B) Ensure that supplemental educational services are coordinated with the student's
23 school program.

24 (C) Ensure that the instruction and content provided are aligned with state-adopted
25 curriculum content standards and instructional materials and aligned with state and local
26 assessments.

27 (D) Ensure that all instruction and content are secular, neutral, and non-ideological.

28 (E) Provide evidence of recent (within the past 2 years) successful experience in
29 improving student achievement. (If the student population served by the provider is composed in
30 part of English learners, the provider must demonstrate experience in improving the student
31 achievement of English learners.)

- 1 (F) Meet all applicable federal, state, and local health, safety, and civil rights laws.
- 2 (G) Have knowledge of the state-adopted content standards, frameworks, and
- 3 instructional materials.
- 4 (H) Be capable of providing appropriate services to eligible students based on individual
- 5 needs consistent with the instructional program of the LEA and the state-adopted standards,
- 6 frameworks, and instructional materials.
- 7 (I) Be financially sound.
- 8 (J) Guarantee that all staff working with students and their parents undergo and pass
- 9 background checks as required by the local contracting school district.
- 10 (K) Abide by the conditions of the contract with the LEA.
- 11 (2) And, by the end of the second year of provisional approval, ninety-five percent of
- 12 eligible students receiving services have made increases in academic proficiency at a level
- 13 articulated in the supplemental educational services contract and as measured by the STAR.
- 14 NOTE: Authority cited: Section 33031, Education Code. Reference: 20 United States Code
- 15 section 6316(e)(1) and Section 12000, Education Code.

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